

Amendment No. \_\_\_\_\_

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Signature of Sponsor

**FILED**

Date \_\_\_\_\_

Time \_\_\_\_\_

Clerk \_\_\_\_\_

Comm. Amdt. \_\_\_\_\_

**AMEND Senate Bill No. 1195**

**House Bill No. 307\***

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 6, Part 30, is amended by adding the following language as a new, appropriately designated section:

(a) The department of education shall develop rules to be adopted by the state board of education to ensure students incarcerated in detention centers licensed by the department of children's services under § 37-5-502 are provided educational services by an LEA serving the county in which the detention center is located.

(b) The rules developed under this section shall be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, and shall include, at a minimum, procedures for:

(1) The funding in an amount equal to the per pupil state and local funds received by the LEA in which the student was enrolled at the time of incarceration on a prorated daily basis for the length of the student's incarceration to be used for the student's education; and

(2) The prompt transfer of the incarcerated student's educational records, including transcripts, from the LEA in which the student was enrolled at the time of incarceration to the LEA in which the detention center is located.

(c) The department of education shall monitor the educational services provided to students incarcerated in detention centers.



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(d) The department of children's services shall ensure that detention centers licensed under § 37-5-502 comply with any rules adopted by the state board of education pursuant to this section.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

House Education Administration & Planning Subcommittee Am. #1

Amendment No. \_\_\_\_\_

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Signature of Sponsor

**FILED**

Date \_\_\_\_\_

Time \_\_\_\_\_

Clerk \_\_\_\_\_

Comm. Amde. \_\_\_\_\_

**AMEND Senate Bill No. 217**

**House Bill No. 147\***

by deleting all language after the enacting clause and substituting the following:

**SECTION 1.** Tennessee Code Annotated, Title 49, Chapter 6, Part 42, is amended by adding the following language as a new section:

(a) As used in this section, "school security officer" means an individual who is employed exclusively by the local school board or LEA for the purpose of:

- (1) Maintaining order and discipline;
- (2) Preventing crime;
- (3) Investigating violations of school board policies;
- (4) Detaining students in violation of the law, school board or LEA policies on school property or at a school-sponsored event; and
- (5) Ensuring the safety, security, and welfare of all students, faculty, staff, and visitors in an assigned school.

(b) Each LEA may develop and adopt, in consultation with the appropriate local law enforcement agency, a policy that authorizes a school security officer employed by the LEA to patrol within a one-mile radius of the security officer's assigned school, but not to exceed the boundaries of the assigned school's LEA.

(c) If an LEA adopts a policy pursuant to subsection (a) then the LEA shall file a copy of the policy with the appropriate local chief law enforcement officer.

(d) In patrolling the one-mile radius of the school, the school security officer shall:



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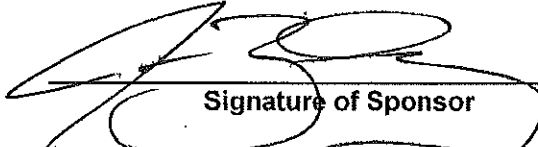
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(1) Only patrol for violations of the law that involve minors, including truancy; and

(2) Immediately notify the appropriate local law enforcement agency of any violation of the law if the school security officer reasonably believes the individual committing the act to be a minor.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

Amendment No. \_\_\_\_\_

  
Signature of Sponsor

**FILED**

Date \_\_\_\_\_

Time \_\_\_\_\_

Clerk \_\_\_\_\_

Comm. Amdt. \_\_\_\_\_

AMEND Senate Bill No. 379

House Bill No. 368\*

by deleting the language "June 30, 2011" in subsection (b) of SECTION 2 and substituting  
instead the language "July 1, 2011 through July 1, 2016".



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Amendment No. \_\_\_\_\_

*Harrell M. Foye*  
Signature of Sponsor

<b>FILED</b>
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Comm. Amdt. _____

**AMEND Senate Bill No. 562**

**House Bill No. 553\***

by deleting all language after the caption of the bill and substituting instead the following:

WHEREAS, historically black colleges and universities (HBCUs) have made historic and ongoing contributions to the general welfare and prosperity of our country; and

~~WHEREAS, America's HBCUs, for over one hundred fifty years, have produced leaders~~  
in business, government, academia, and the military and have provided generations of men and women with hope and educational opportunity; and

WHEREAS, 105 HBCUs are located in twenty states, the District of Columbia, and the U.S. Virgin Islands and serve more than 300,000 undergraduate and graduate students; and

WHEREAS, these institutions continue to be important engines of economic growth and community service, and they are proven ladders of intergenerational advancement for men and women of all ethnic, racial, and economic backgrounds, especially African Americans; and

WHEREAS, these institutions also produce a high number of baccalaureate recipients who go on to assume leadership and service roles in their communities and who successfully complete graduate and professional degree programs; and

WHEREAS, in February 2010, President Obama signed Executive Order 13532 to highlight excellence, innovation, and sustainability of HBCUs, using partnerships with federal agencies and departments and the private sector to sustain the important work of HBCUs; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 7, Part 2, is amended by adding the following language as a new section:



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(a) The "Initiative on Historically Black Colleges and Universities (HBCUs)" or "initiative", as used in this section, is an organizational unit of the commission, established and administered by the executive director for the purpose of providing oversight to focus on ways to strengthen the capacity of historically black colleges and universities to provide the highest quality education, increase opportunities for these institutions to participate in and benefit from state programs, and ensure that Tennessee has the highest proportion of college graduates from HBCUs in the country. The initiative shall operate in consultation with the consortium of historically black colleges and universities, pursuant to Part 29 of this chapter.

(b) The initiative shall work with state departments, agencies, offices, the private sector, educational associations, philanthropic organizations, and other partners to increase the capacity of HBCUs to provide the highest quality education to a greater number of students, and to take advantage of these institutions' capabilities in serving the state's needs through five (5) core tasks:

- (1) Strengthening the capacity of HBCUs to participate in state programs;
- (2) Fostering enduring private-sector initiatives and public-private partnerships while promoting specific areas and centers of academic research and programmatic excellence throughout all HBCUs;
- (3) Improving the availability, dissemination, and quality of information concerning HBCUs to inform public policy and practice;
- (4) Sharing administrative and programmatic practices within the consortium for the benefit of all; and
- (5) Exploring new ways of improving the relationship between the state and HBCUs.

(c)

- (1) The commission is authorized and directed to provide all necessary and appropriate guidance, assistance, and support to facilitate strategy

development and coordinated implementation by the initiative and the partnership to accomplish the respective and mutual key tasks of the initiative as outlined in subsection (b).

(2) In furtherance of subdivision (c)(1), the commission may enter into one (1) or more memoranda of cooperation with the initiative and the partnership on terms deemed by the commission to be appropriate, mutually beneficial, and in the best interest of the consortium and the partnership.

(d) All state departments and agencies are encouraged to create an annual plan of its efforts to strengthen the capacity of HBCUs through increased participation in appropriate federal programs and initiatives. Where appropriate, each agency plan shall address, among other things, the agency's proposed efforts to:

(1) Establish how the department or agency intends to increase the capacity of HBCUs to compete effectively for grants, contracts, or cooperative agreements and to encourage HBCUs to participate in state programs;

(2) Identify state programs and initiatives in which HBCUs may be either underserved or underused as national resources, and improve HBCUs' participation therein; and

(3) Encourage public-sector, private-sector, and community involvement in improving the overall capacity of HBCUs.

(e) If a department or agency creates an annual plan pursuant to subsection (d), then the department or agency shall:

(1) Provide appropriate measurable objectives and, after the first year, shall annually assess that department's or agency's performance on the goals set in the previous year's agency plan; and

(2) Provide a written summary of the objectives and goals to the education committee of the senate and the education administration and



planning committee of the house of representatives within thirty (30) days of the annual assessment required in subdivision (e)(1).

(f) The initiative may establish a board of advisors to consist of no more than twenty-five (25) members appointed by the commission. The board shall include representatives of a variety of sectors, including philanthropy, education, business, finance, entrepreneurship, innovation, and private foundations, as well as sitting HBCU presidents. The board may advise the commission and the initiative in the following areas:

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(1) Improving the identity, visibility, and distinctive capabilities and overall competitiveness of HBCUs;

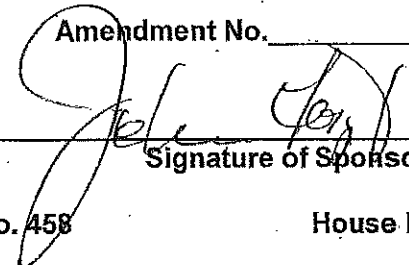
(2) Engaging the philanthropic, business, government, military, homeland security, and education communities in a dialogue regarding new HBCU programs and initiatives;

(3) Improving the ability of HBCUs to remain fiscally secure institutions that can assist the state in reaching its educational goals;

(4) Elevating the public awareness of HBCUs; and

(5) Encouraging public-private investments in HBCUs.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

Amendment No. \_\_\_\_\_  
  
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Signature of Sponsor

<b>FILED</b>
Date _____
Time _____
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**AMEND Senate Bill No. 458**

**House Bill No. 448\***

by deleting the language "epinephrine auto-injectors" in subdivision (c)(3) in Section 1 and substituting instead the language "an opioid antagonist".

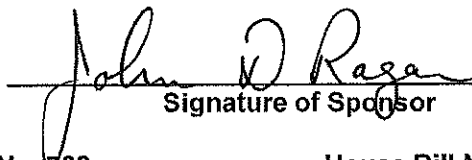


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Amendment No. \_\_\_\_\_

  
Signature of Sponsor

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Date _____
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Comm. Amdt. _____

AMEND Senate Bill No. 733

House Bill No. 439\*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-6-807, is amended by deleting the section in its entirety and substituting instead the following:

Each school safety team shall conduct at least one (1) armed intruder drill annually. The drill shall be conducted in coordination with the appropriate local law enforcement agency. The Tennessee school safety center, the LEA, and the appropriate law enforcement agency shall provide assistance for any LEA whose safety plan falls below the standards required by this part. The results of the drill shall be maintained by each school for a minimum of five (5) years and shall be made available to the department of education upon request.

SECTION 2. This act shall take effect July 1, 2017, the public welfare requiring it.



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Amendment No. \_\_\_\_\_



Signature of Sponsor

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**AMEND Senate Bill No. 585**

**House Bill No. 335\***

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-4-930, is amended by deleting subsection (b) in its entirety and substituting instead the following language:

An eligible student must submit an application for the dual enrollment grant each academic year. To be eligible for a dual enrollment grant for a semester beyond the first semester of receipt in an academic year, the student shall continue to meet all eligibility requirements for the grant and shall achieve a cumulative grade point average of 2.75 for all postsecondary courses attempted under a dual enrollment grant.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.



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Amendment No. \_\_\_\_\_

  
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Signature of Sponsor

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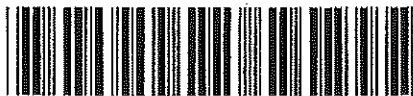
Clerk \_\_\_\_\_

Comm. Amdt. \_\_\_\_\_

**AMEND Senate Bill No. 1012**

**House Bill No. 1063\***

by deleting the language "official school holiday, weekend, or religious holiday" from the  
amendatory language of Section 1 and substituting instead the language "official school holiday,  
Sunday, or religious holiday".



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Amendment No. \_\_\_\_\_

  
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Signature of Sponsor

**FILED**

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Clerk \_\_\_\_\_

Comm. Amdt. \_\_\_\_\_

**AMEND Senate Bill No. 393\***

**House Bill No. 1002**

by deleting all language after the enacting clause and substituting instead the following language:

SECTION 1. Tennessee Code Annotated, Section 49-7-124(e), is amended by deleting the language "The Tennessee higher education commission is" and substituting instead the language "The governing boards of each public institution of higher learning are".

SECTION 2. Tennessee Code Annotated, Section 49-7-124, is amended by adding the following language as new subsections:

(g) The governing board of each public institution of higher learning, in consultation with the department of health, shall promulgate rules regarding immunization requirements for students enrolled within each respective institution. All such rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

(h) Notwithstanding subsection (g), each public institution of higher learning shall strive to collect immunization records for students enrolling in the institution.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.



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Amendment No. \_\_\_\_\_

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Signature of Sponsor

**FILED**

Date \_\_\_\_\_

Time \_\_\_\_\_

Clerk \_\_\_\_\_

Comm. Amdt. \_\_\_\_\_

**AMEND Senate Bill No. 161\***

**House Bill No. 126**

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 1, is amended by adding the following language as a new part:

**49-1-1201.**

This part shall be known and may be cited as the "Opportunity Scholarship Pilot Program."

**49-1-1202.**

(a) There is established a five-year pilot program for the LEA having the most schools identified on the priority list, as defined by the state's accountability system pursuant to § 49-1-602 and shall include schools in the achievement school district that are located in that district's geographic footprint. The pilot program shall begin in the 2018-2019 school year.

(b) The pilot program must be monitored and evaluated by the office of research and education accountability (OREA) in the office of the comptroller of the treasury. OREA, with the assistance of the department of education and the state board of education, shall study the pilot program and report to the general assembly by December 31 on the effectiveness of the program after the second and fourth full school years of the program and at the conclusion of the pilot program. OREA shall determine,



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in compliance with all state and federal student privacy laws, student achievement and progress information for scholarship recipients for each participating school, which shall include:

- (1) Achievement results in the aggregate, including educational progress;
- (2) The graduation rate, as applicable;
- (3) The retention rate; and
- (4) Any other information deemed important to evaluate the program.

**49-1-1203.**

As used in this part, unless the context otherwise requires:

- (1) "Department" means the department of education;
- (2) "Eligible student" means a student who:
  - (A)

- (i) Resides in the LEA in which the pilot program is established according to § 49-1-1202 and is zoned to attend or is currently enrolled in a public school within the LEA that, at the time of the student's initial application for a scholarship, is identified as being in the bottom five percent (5%) of schools in performance as determined by the state board pursuant to § 49-1-602; or

- (ii) Resides in the LEA in which the pilot program is established according to § 49-1-1202, if the number of scholarships pursuant to § 49-1-1208(a) are not reached;

- (B) Meets the minimum age requirements specified in § 49-6-3001, with eligibility extending until the student graduates from high school; however, the student must be less than twenty-two (22) years of age by August 15 of each year;



(C) Is a member of a household whose annual income during the year prior to the request for participation in the program met the requirements for free or reduced price lunch as determined by the department; and

(D) Meets at least one (1) of the following requirements:

(i) Was previously enrolled in a Tennessee public school during the one (1) full school year immediately preceding the semester in which the student receives an opportunity scholarship for the first time; or

(ii) Is attending a Tennessee school for the first time;

(3) "LEA" means the school system having the most schools identified on the priority list, as defined by the state's accountability system pursuant to § 49-1-602 and includes schools in the achievement school district that are located in that district's geographic footprint;

(4) "Parent" means the parent, legal guardian, person who has custody of the child, or person with caregiving authority for the child under § 49-6-3001;

(5) "Participating school" means a nonpublic school that meets the requirements established in this part and seeks to enroll eligible students;

(6) "Program" means the opportunity scholarship program created by this part;

(7) "Scholarship" means the funds awarded to a parent on behalf of an eligible student or an eligible student who has achieved the age of majority pursuant to this part;

(8) "Scholarship student" means an eligible student who is awarded, or whose parent is awarded, a scholarship pursuant to this part;

(9) "State board" means the state board of education; and

(10) "Tuition and fees" means the cost of educating an enrolled student, inclusive of any cost required as a condition of attending the participating school and using its equipment or facilities while participating in or receiving educational

training. "Tuition and fees" includes operational and facility costs, transportation costs, meal costs, and any additional costs associated with attending the participating school.

**49-1-1204.**

(a) A participating school shall:

- (1) Voluntarily agree to participate in the program and accept applications from eligible students pursuant to this part;
- (2) Provide notice, on an annual basis, of intent to participate in the program to the department through completion of an application developed by the department. The notice must include the number of available seats by grade level;
- (3) Be identified as a category I, II, or III school pursuant to department procedures and state board rules and comply with all health and safety laws or codes that are applicable to the schools;
- (4) Annually administer to scholarship students state assessments as provided in part 6 of this chapter or nationally recognized norm-referenced tests, approved by the state board, that measure educational progress represented by a value-added assessment system developed pursuant to part 6 of this chapter and that can be translated into a score on the value-added assessment system developed pursuant to part 6 of this chapter if at least ten (10) students in each grade take the assessment;
- (5) Provide the parents of scholarship students the results of their individual student's annual assessments and provide the department with the results of the individual scholarship student's annual assessments;
- (6) In addition to the information derived from the requirements of subdivision (a)(4), provide the department with graduation rates of scholarship

students as well as other student information allowing for the aggregation of data as determined and required by the department;

(7) Comply with nondiscrimination policies pursuant to 42 U.S.C. § 1981 and otherwise abide by the school's written admission policy with regard to students who are awarded scholarships under this part. If a scholarship student is not successfully enrolled in a school, the student remains eligible to enroll in another participating school;

(8) Not discriminate against students with special education needs who meet the requirements for admission to the school during the enrollment admissions process; however, as a nonpublic school, a participating school is required to offer only those services it already provides to assist students with special needs. If a scholarship student would have been entitled to receive special education services in the public school the student would otherwise be attending, the parent must acknowledge in writing, as part of the enrollment process, that the parent agrees to accept only services available to the student in the nonpublic school. A participating school may partner with the LEA, if the LEA agrees, or other participating schools to provide special education services. A parent of an eligible student shall qualify to participate in the program if the parent signs an agreement promising not to enroll the parent's eligible student in a public school and to release the LEA in which the student resides and is zoned to attend from all obligations to educate the student during participation in the scholarship program. Participation in the program has the same effect as a parental refusal to consent to the receipt of services under 20 U.S.C. § 1414 of the Individuals with Disabilities Education Act (IDEA);

(9) Accept the scholarship amount as payment in full for the cost of tuition and fees that would otherwise be charged by the school;

(10) Allow scholarship students to remain enrolled in the school for the duration of the school year at no additional cost if the school withdraws from the program during the school year;

(11) Submit, if requested, to the department a financial audit of the school conducted by a certified public accountant; however, the audit may be limited in scope to records necessary for the department to make scholarship payments to the school. The audit must include a statement that the report is free of material misstatements and fairly represents the participating school's maximum total tuition and fees. Any funds determined by the department to be received or expended in a manner inconsistent with this part must be returned to the state;

(12) Demonstrate financial viability to repay any funds that may be owed to the state by filing with the department, prior to the start of the school year, financial information verifying the school has the ability to pay an aggregate amount equal to the amount of the scholarships expected to be paid during the school year. The school may comply with this subdivision (a)(12) by filing a bond payable to the state from a surety, and in an amount determined by the department;

(13) Require any person serving as a teacher or any other position requiring close proximity to children to submit to a criminal background check pursuant to the rules of the state board; and

(14) Comply with § 49-5-202.

(b) Participation in the program by a school is voluntary and nothing in this part authorizes any additional regulation of participating schools beyond that specifically authorized by this title. A school participating in the program is not considered a state actor, or agent of the state or federal government, by virtue of its participation in this program.

(c) It is the intent of the state that the amount of a scholarship awarded to a scholarship student not be treated as income or an asset when determining an individual's taxes or qualification for any other federal or state scholarship or program.

**49-1-1205.**

(a) The department shall develop procedures necessary for administering the program. In administering the program, the department shall:

- (1) Require the LEAs to provide the department with the names and physical addresses of the parents of eligible students;
- (2) Provide notice to parents of student eligibility and of participating schools;
- (3) Accept applications from parents of eligible students and award scholarships to eligible students;
- (4) Determine and approve school and student eligibility and participation pursuant to the requirements of this part. If the number of eligible students who submit applications exceeds the permissible number of scholarships available in the program, the department must conduct a random selection process to award scholarships that provides each eligible student with an equal opportunity for selection. The department shall give preference to students participating in the program who are already enrolled in the participating school and to siblings of such students;
- (5) Establish application and participation timelines that will maximize student and school participation;
- (6) Remit scholarship payments to participating schools on behalf of scholarship recipients; however, any scholarship awarded under this part is the entitlement of the eligible student under the supervision of the student's parent and shall not be the entitlement of any participating school;

(7) Annually publish, in compliance with all state and federal student privacy laws, information for scholarship recipients for each participating school, which shall include:

- (A) Achievement results, including student growth;
- (B) The graduation rate, as applicable; and
- (C) The retention rate; and

(8) Shall make information available on the department's website to inform parents of eligible students of all available scholarship options and provide an opportunity for parents to apply to other participating schools.

(b) The department may suspend or terminate a school's participation in the program if the department determines the school has failed to comply with this part. If the department suspends or terminates the school's participation, the department shall notify affected scholarship students and their parents of the decision. If a participating school is suspended or terminated from the program, or if the school otherwise withdraws from the program, scholarship students enrolled at the school may transfer to another participating school without loss of scholarship eligibility.

(c) Except as provided in subsection (b), an eligible student is entitled to one (1) scholarship per school year; as long as the award of the scholarship does not exceed the limitation on the number of scholarships that may be awarded under § 49-1-1208(a). If a student is expelled from a participating school, then the student's participation in the scholarship program shall be terminated.

(d) In compliance with all state and federal student privacy laws, the LEA, in a timely manner, shall provide a participating school that has admitted an eligible student under this part with a complete copy of the student's school records in the possession of the LEA.

(e) The names or any other information that alone, or in combination, could personally identify specific scholarship recipients must be treated as confidential and not

be open to the public. Nothing in this part prevents the department, state board, or participating schools from accessing and utilizing such records as required to fulfill their lawful functions.

**49-1-1206.**

(a) If a participating school's most recent measure of student achievement growth for scholarship students is in the aggregate, at a level of "below expectations" or "significantly below expectations" as represented by the Tennessee Value-Added Assessment System developed pursuant to part 6 of this chapter, then the school shall not continue to enroll additional eligible students throughout the program.

(b) If a participating school demonstrates achievement growth for scholarship students, in the aggregate, at a level of "significantly below expectations" for two (2) consecutive years, as represented by the Tennessee Value-Added Assessment System developed pursuant to part 6 of this chapter or through guidelines adopted by the state board pursuant to part 3 of this chapter, the commissioner shall suspend or terminate the school's participation in the program. If the department suspends or terminates the school's participation, the department shall notify affected scholarship students and their parents of the decision. If a participating school is suspended or terminated from the program pursuant to this subsection (b), scholarship students enrolled at the school may transfer to another participating school without loss of eligibility, and the students shall be given preference for enrollment.

**49-1-1207.**

(a) Notwithstanding subsection (e), the annual amount to which an eligible student is entitled under this part is equal to the lesser of the following:

- (1) The cost of tuition and fees that would otherwise be charged by the school; or

(2) The amount representing the per pupil state and local funds generated and required through the basic education program (BEP) for the LEA in which the program is established.

(b) For the purposes of funding calculations, all scholarship recipients shall be counted in the enrollment figures for the LEA in which the program is established. The scholarship funds must be subtracted from the total state funds otherwise payable to the LEA and be paid directly to the participating school.

(c) If the participating school's cost of tuition and fees is less than the amount outlined in subdivision (a)(2), the remaining funds shall be retained by the LEA in which the program is established.

(d) The department shall develop a schedule for payments of scholarship funds to participating schools. If a participating student is enrolled in a participating school for less than the entire school year, the participating school shall refund the scholarship provided under this part on a prorated basis to reflect the shorter school term. A participating school shall not refund, rebate, or share scholarship funds with a parent or participating student in any manner.

(e) If the federal government makes funds available for use by states for scholarship purposes that Tennessee is eligible to receive, then the department shall apply for and use, in accordance with federal laws and regulations, any funds distributed for scholarship purposes by the federal government to the state and shall establish a separate and independent program to distribute those funds. Participation by participating schools in any federally funded program is voluntary and otherwise meets the requirements of this part.

**49-1-1208.**

(a) The total number of scholarships awarded by the program is limited as follows:



(1) For the 2018-2019 school year, the department shall award no more than two thousand five hundred (2,500) scholarships; and

(2) For the 2019-2020 through the 2022-2023 school years, the department shall award no more than five thousand (5,000) scholarships.

(b) The department shall develop procedures to allocate scholarships among eligible students if the number of scholarships provided in subsection (a) are not met.

**49-1-1209.**

The state board is authorized to promulgate rules to effectuate the purposes of this part. The rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

**49-1-1210.**

(a) Except as otherwise provided in this section, the pilot program terminates at the conclusion of the 2022-2023 school year.

(b)

(1) Scholarship students receiving awards in the 2022-2023 school year remain eligible to continue to receive scholarships in subsequent school years under the program until the earlier of:

(A) Graduation from high school;

(B) Voluntary withdrawal from the program;

(C) Achieving the age of twenty-two (22) before August 15 of any given year; or

(D) Becoming ineligible under any other provision of the program.

(2) The department shall continue to administer the program for scholarship students participating in the program pursuant to subdivision (b)(1).

SECTION 2. If any provision of this act or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this act which can

be given effect without the invalid provision or application, and to that end the provisions of this act are severable.

SECTION 3. If any part of this act is challenged in a Tennessee court as violating either the state or federal constitutions, parents or participating students shall be permitted to intervene in the lawsuit for the purposes of defending the act's constitutionality. However, for the purposes of judicial administration, a court may limit the number of parents permitted to intervene or require that all parents file a joint brief, so long as they are not required to join any brief filed on behalf of any named state defendant.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.